THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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DATED: 18-11-2005

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WRIT PETITION No.24677 of 2005

Between:

Toddy Tappers Cooperative Society, Zahirabad . . .Petitioner

And

The Proh. & Excise Superintendent, Medak . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.24677 of 2005

O R D E R:

The petitioner is a Toddy Tappers Cooperative Society of Zahirabad Mandal. It was issued licences for a Depot and four shops. An inspection was conducted on the Depot as well as Shop No.3. On noticing certain irregularities, the respondent suspended the licences of the Depot and Shop No.3, through his proceedings, dated 25-05-2005. The petitioner filed WP.No.16671 of 2005 challenging the same. The said writ petition was disposed of on 31-08-2005, directing the respondent herein to conclude the enquiry within one month from the date of receipt of a copy of that order.

The respondent issued show cause notice, dated 15-10-2005, requiring the petitioner to show cause as to why licences of the Depot as well as all the shops shall not be cancelled. The petitioner filed W.P.No.22959 of 2005. The said writ petition was disposed of on
26-10-2005 setting aside the show cause notice insofar as it relates to shop Nos.1, 2 and 4. The show cause notice as regards Depot and Shop No.3 was upheld. The present grievance of the petitioner is that though several months have elapsed, the first respondent has not concluded the proceedings. It is stated that a report has since been submitted by the petitioner.

Heard the learned counsel for the petitioner and learned Government Pleader for Prohibition and Excise.

The proceedings in relation to the action to be taken against the petitioner for the alleged violations found during inspection of the Depot and one of the shops, are pending. The show cause notice was issued, as recently as, on 15-10-2005. The further action was hampered on account of the fact that certain Shop Nos.1, 2 and 4 were also included in the purview of the show cause

notice and this Court took exception to the same. Therefore, it cannot be said that there was undue delay on the part of the respondent in concluding the proceedings. Be that as it may, once the matter has already been enquired into and the petitioner has submitted its explanation, it cannot be kept pending for unduly long time. The petitioner is suffering the impact of suspension of the licences of the Depot and one of the shops, since last more than five months.

For the foregoing reasons, the writ petition is disposed of directing the first respondent to conclude the proceedings in relation to the licences of Depot and Shop No.3 issued to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

18th NOVEMBER, 2005.

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